



2611

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PTO/SB/21 (08-00)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/932,010	
	Conf. No.	4166	
	Filing Date	08/17/01	
	First Named Inventor	Rabinowitz	
	Group Art Unit	2611	
	Examiner Name	Faile, Andrew I	
Total Number of Pages in This Submission		Attorney Docket Number	RSM003001

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Richard A. Dunning, Jr.
Signature	
Date	11/29/02

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 11/29/02			
Type or printed name	Richard A. Dunning, Jr.		
Signature		Date	11/29/02

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EA



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rabinowitzet.al.
Serial No. : 09/932,010
Filed : August 17, 2001
Title : POSITION LOCATION USING TERRESTRIAL DIGITAL VIDEO
BROADCAST TELEVISION SIGNALS

Art Unit : 2611
Examiner : Faile, Andrew I
Conf. No. : 4166

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Commissioner for Patents
Washington, D.C. 20231

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

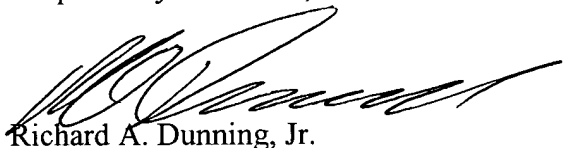
In reply to the Notice mailed 11/22/02, Applicant respectfully submits the following remarks.

The Notice asserts that the mark-up of replacement paragraph 0106 is missing from the amendment filed on 11/04/02. Applicant respectfully submits that the mark-up of replacement paragraph 0106 can be found on page 5 of the amendment filed on 11/04/02. Applicant encloses a copy of the amendment filed on 11/04/02 and a copy of the Notice Of Non-Compliant Amendment mailed 11/22/02.

Applicant submits that all of the claims are now in condition for allowance, which action is requested.

Date: 11/29/02
Law Office of Richard A. Dunning, Jr.
343 Soquel Avenue
Suite 311
Santa Cruz, CA 95062
Telephone: 831.420.0561
Facsimile: 413.541.0092

Respectfully submitted,


Richard A. Dunning, Jr.
Attorney/Agent for Applicant(s)
Reg. No. 42502

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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Date of Deposit


Signature

Richard A. Dunning, Jr.
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,010	08/17/2001	Matthew Rabinowitz	22845-05947	4166

29825 7590 11/22/2002

LAW OFFICE OF RICHARD A. DUNNING, JR.
343 SOQUEL AVENUE
SUITE 311
SANTA CRUZ, CA 95062



EXAMINER

FAILE, ANDREW I

ART UNIT PAPER NUMBER

2611

DATE MAILED: 11/22/2002

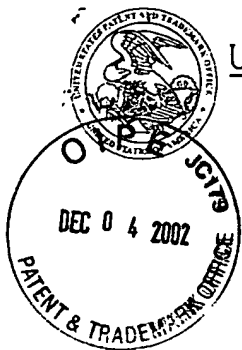
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Please find below and/or attached an Office communication concerning this application or proceeding.

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No. 13

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11/04/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see *65 Fed. Reg. 54603*, Sept. 8, 2000, and *1238 O.G. 77*, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: The mark-up of paragraph 0106 is missing.

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(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☒ **PRELIMINARY AMENDMENT:** Unless applicant **supplies the omission or correction** to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to **supply the omission or correction noted above** in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Wanda M. Johnson
Legal Instruments Examiner (LIE)



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Applicant: Rabinowitz et al.
Serial No.: 09/932,010
Filing Date: 8/17/2001
Attorney Docket No.: RSM003001

The USPTO date stamp sets forth the receipt date of:

Transmittal Form
Preliminary Amendment (5 pages)



Applicant: Rabinowitz et al.
Serial No.: 09/932,010
Filing Date: 8/17/2001
Attorney Docket No.: RSM003001

The USPTO date stamp sets forth the receipt date of:

Transmittal Form
Preliminary Amendment (5 pages)